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PTO/SB/21 (09-04)

TRANSMITTAL FORM (to be used for all correspondence after initial filing) Total Number of Pages in This Submission	Application Number	10/679,245
	Filing Date	October 2, 2003
	First Named Inventor	MALECKI, WILLIAM
	Art Unit	3739
	Examiner Name	PEFFLEY, Michael P.
	Attorney Docket Number	022128-000200US

ENCLOSURES (Check all that apply)		
☐ Fee Transmittal Form ☐ Fee Attached ☐ Amendment/Reply ☐ After Final ☐ Affidavits/declaration(s) ☐ Extension of Time Request ☐ Express Abandonment Request ☒ Information Disclosure Statement ☐ Certified Copy of Priority Document(s) ☐ Reply to Missing Parts/ Incomplete Application ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53	☐ Drawing(s) ☐ Licensing-related Papers ☐ Petition ☐ Petition to Convert to a Provisional Application ☐ Power of Attorney, Revocation Change of Correspondence Address ☐ Terminal Disclaimer ☐ Request for Refund ☐ CD, Number of CD(s) _____ ☐ Landscape Table on CD	☐ After Allowance Communication to TC ☐ Appeal Communication to Board of Appeals and Interferences ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) ☐ Proprietary Information ☐ Status Letter ☒ Other Enclosure(s) (please identify below): Return Postcard PTO/SB/08A and /08B Form 2 Reference Copies
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

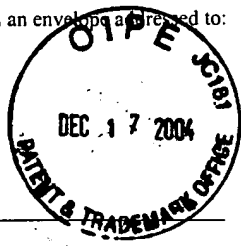
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Scott M. Smith		
Date	12/14/04	Reg. No.	48,268

CERTIFICATE OF TRANSMISSION/MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.		
Signature		
Typed or printed name	Tiffany Wu	Date 12/14/04

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PATENT
Attorney Docket No.: 022128-000200US

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On

12/14/04

TOWNSEND and TOWNSEND and CREW LLP

By:

Tiffany Wu

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MALECKI et al.

Application No.: 10/679,245

Filed: October 2, 2003

For: ENERGY BASED DEVICES AND
METHODS FOR TREATMENT OF
PATENT FORAMEN OVALE

Examiner: PEFFLEY, Michael P.

Art Unit: 3739

SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT UNDER 37
CFR §1.97 and §1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the foreign references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

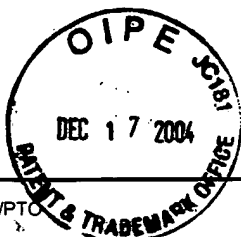
However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Scott M. Smith
Reg. No. 48,268

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/679,245	
			Filing Date	October 2, 2003	
			First Named Inventor	MALECKI, WILLIAM	
			Art Unit	3739	
			Examiner Name	PEFFLEY, Michael P.	
Sheet	3	of		Attorney Docket Number	022128-000200US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
	AA	US-2,580,628	01-01-1952	Welsh	
	AB	US-3,862,627	01-28-1975	Hans, Sr.	
	AC	US-4,556,065	12-03-1985	Hoffmann	
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	AE	US-5,056,517	10-15-1991	Fenici	
	AF	US-5,928,266	07-27-1999	Kontos	
	AG	US-6,063,085	05-16-2000	Tay et al.	
	AH	US-6,302,898 B1	10-16-2001	Edwards et al.	
	AI	US-6,355,030 B1	03-12-2002	Aldrich et al.	
	AJ	US-6,383,198 B1	05-07-2002	Hamilton	
	AK	US-6,398,782 B1	06-04-2002	Pecor et al.	
	AL	US-6,676,685 B2	01-13-2004	Pedros et al.	
	AM	US-6,776,784 B2	08-17-2004	Ginn	
	AN	US-2004/0059347 A1	03-25-2004	Hamilton	
	AO	US-2004/0243122 A1	12-02-2004	Auth et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
	AP	WO	04/043266	A2	05-27-2004	Opolski		☐
	AQ	WO	04/069055	A2	08-19-2004	Frazier et al.		☐
NON PATENT LITERATURE DOCUMENTS								
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.						T ²

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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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